

*******Special Response Warning and Fine Schedule*******

9.05.020(a) – A gathering of **three or more people**, whereby one or more persons are causing a threat to the peace, health, safety, or general welfare of any member of the public, or their comfortable enjoyment of life or their property. The first warning will serve to admonish you that any additional Police response to your location, within 72 hours, will result in a special response administrative fine of **\$500.00** or, a fee for the response of all personnel and equipment costs, or other damage and expenses incurred by the City, whichever is greater. **You may be held jointly and severally liable to the City of Santa Clara for all costs described above.** Pursuant to SCCC 1.05.070, the City, in its prosecutorial discretion, may enforce violation(s) of this provision as a criminal, civil, or administrative action.

Additional responses within one year may result in a graduated administrative fine up to \$1000.00 per response.

Special Response Ordinance		
Section 9.05.020 (a)	First Response	No Fee
Section 9.05.020 (f)(1)(A)	2nd Response within 72 hours	\$500.00
Section 9.05.020 (f)(1)(B)	2nd Response, after 72 hrs, within 30 days	\$250.00
Section 9.05.020 (f)(1)(C)	2nd Response, after 30 days, within one year	\$150.00
Section 9.05.020 (f)(1)(D)	3rd Response within one year	\$300.00
Section 9.05.020 (f)(1)(E)	4th Response within one year	\$600.00
Section 9.05.020 (f)(1)(F)	5th Response within one year	\$900.00
Section 9.05.020 (f)(1)(G)	Over 5 Responses within one year	\$1000.00

“MINOR IN POSSESSION” RELATED LAWS:

BP 25658(a) – Sell or furnish alcohol to minor

Except as otherwise provided in subdivision (c), every person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor.

BP 25658(b) – Minor purchase or consume alcoholic beverage at on-sale premises

Except as provided in Section 25667, any person under 21 years of age who purchases any alcoholic beverage or any person under 21 years of age who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor.

BP 25662(a) – Minor in possession of alcohol

Except as provided in Section 25667, any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor.

9.05.110(a) – Minor in possession of alcohol at a place not open to the public

Any person, under 21 years of age, consuming or having in their possession any alcohol at any place not open to the public unless supervised by a parent/legal guardian.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

9.05.110(b) – Hosting a party on private property where minors possess alcohol

An person allowing or hosting a party at place of residence or other private property under his control where people under 21 years are present and alcohol is in possession of or being consumed by any person under 21 years.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

PUBLIC ALCOHOL CONSUMPTION LAWS:

9.05.040(a) – Drinking in public

Drinking any intoxicating liquor when upon any public right-of-way, street, sidewalk, lane, alley, public park or public property up to private property line.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

9.05.040(b) – Drinking in private parking lot

Drinking any intoxicating liquor while upon any private parking lot open to the public.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

9.05.040(c) – Possession of open container in a City Park

Possession of any open container of alcoholic beverage in any City-owned park or City-owned public place shall be deemed guilty of an infraction.

(Admin Cite = \$150 / Criminal Citation = Infraction)

FAKE / BORROWED IDENTIFICATION LAWS:

BP 25661(a) – Minor present or possess fake/borrowed ID

Any person under the age of 21 years who presents or offers to any licensee, his or her agent or employee, any written, printed, or photostatic evidence of age and identity which is false, fraudulent or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a misdemeanor.

VC 13004(a) – Over 21 present fake/borrowed ID

To display or cause or permit to be displayed or have in his possession any canceled, fictitious, fraudulently altered, or fraudulently obtained identification card.

VC 14610(a) – Over 21 present fake/borrowed CDL

(a) It is unlawful for any person:

- (1) To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, fraudulently altered, or fraudulently obtained driver’s license.
- (2) To lend his driver’s license to any other person or knowingly permit the use thereof by another.
- (3) To display or represent any driver’s license not issued to him as being his license.
- (4) To fail or refuse to surrender to the department upon its lawful demand any driver’s license which has been suspended, revoked or canceled.
- (5) To permit any unlawful use of a driver’s license issued to him.
- (6) To do any act forbidden or fail to perform any act required by this division.
- (7) To photograph, photostat, duplicate, or in any way reproduce any driver’s license or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or have in his possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by the provisions of this code.
- (8) To alter any driver’s license in any manner not authorized by this code.

OTHER:

8.25.030(b) – Disposal of refuse on public or private property

Throw, drop, leave, dump, bury, burn, place, keep, accumulate or otherwise dispose of any refuse upon public property or the private property of another without permission or approval of the property owner.

(Admin Cite = \$250 / Criminal Citation = Misdemeanor)

8.25.040 – Property maintenance

The unsanitary accumulation of refuse.

(Admin Cite = \$250 / Criminal Citation = Misdemeanor)

8.25.080 – Property maintenance

Every garbage container must be stored within an enclosure, or in the side or rear yard of the residence, out of public view. The containers can be brought out to the curb no earlier than 6pm on the evening prior to collection and must be returned to their proper storage area no later than 8pm on the day of collection.

(Admin Cite = \$750 / Criminal Citation = Misdemeanor)

8.30.030(a) – Property maintenance

"Furniture not designed for outdoor use" cannot be stored on property which can be viewed from a public place. This prohibition also applies to household appliances and accumulated garbage or trash. The most common violations for this section include **sofa couches on the front porch, and "beer pong" tables left unattended at the front of the property.**

(Admin Cite = \$750 / Criminal Citation = Misdemeanor)

8.30.030(e) – Property maintenance

Refuse bins left out day after regularly scheduled service.

(Admin Cite = \$750 / Criminal Citation = Misdemeanor)

9.05.010(a) – Urination or defecation in public

It shall be unlawful for any person on any street or any place open to the public to: Urinate or defecate on public property, except at a lavatory facility.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

9.05.010(c) – Making loud noise at night

Make, cause, suffer or permit to be made any loud and unreasonable noise within two hundred fifty (250) feet of any building or place regularly used for sleeping purposes **between the hours of 10pm and 7am.**

(Admin Cite = \$150 / Criminal Citation = Misdemeanor, 2nd fine \$300, 3rd \$600, etc...)

9.05.060(b) – Amplified sound

A city permit is required for amplified music. This includes music amplified outdoors or indoors and loud enough to be heard outside the building.

(Admin Cite = \$150 / Criminal Citation = Misdemeanor)

10.05.340 – Ride, drive or propel a vehicle across a sidewalk (skateboards excluded).

(Admin Cite = \$150)

10.05.430(b) – Pedestrian cross outside of the crosswalk (in or cross road w/in 200' of crosswalk).

(Admin Cite = \$50)

VC 21453(d) – Pedestrian shall not enter roadway against steady circular red.

VC 21456(b) – Pedestrian shall not enter roadway against steady red hand symbol.



Santa Clara Police Department

FIELD OPERATIONS - PATROL DIVISION

601 El Camino Real

Santa Clara, California 95050

Front Desk: 408-615-4700

Non-Emergency 408-615-5580

Emergency 9-1-1

****ATTENTION RESIDENTS****

As is the case in any residential neighborhood, the residents and property owners have a vested interest in the appearance and tranquility of the area in order to maintain their quality of life. In order to apply a standard in such issues, the following statutes are provided to address the most frequent violations.

Observance of these statutes will help to insure a safe and peaceful environment for the entire community. Adherence will also allow us to avoid the inconvenience and expense of enforcement action. Violations of these statutes may lead to an issuance of fines, citations, or criminal prosecution. Many of these fines also include a progressive/graduating schedule, which increases with subsequent offenses.

Municipal codes can be found at: <http://www.codepublishing.com/ca/santaclara/>

SCPD Nuisance Suppression Unit * 9.13.2015

The summaries provided in this handout are by no means a substitute for the actual text of the sections written by the legislature or City Officials.